

SEALED

U.S. DISTRICT COURT
DISTRICT OF NEBRASKA

2021 JUL 22 PM 5:29

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAVON KRUSE,

Defendant.

OFFICE OF THE CLERK

4:21CR3085
SAJMJ925
INDICTMENT

18 U.S.C. §§ 922(g)(3) and 924(a)(2)

18 U.S.C. §924(d)

28 U.S.C. § 2461(c)

The Grand Jury charges that:

COUNT ONE

On or about March 23, 2021, Defendant JAVON KRUSE, knowing he was an unlawful user of marijuana and methamphetamine, Schedule I and II controlled substances respectively, knowingly possessed a firearm in and affecting commerce, that is a Colt DA .38 caliber revolver, which had been shipped and transported in interstate commerce.

In violation of Title 18, United States Code, Sections 922(g)(3) and 924(a)(2).

FORFEITURE ALLEGATION

1. The allegation contained in Count One of this Indictment is hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 924(d), 26 U.S.C. § 5872, and Title 28, United States Code, Section 2461(c).

2. Upon conviction of the offense in violation of Title 18, United States Code, Sections 922(g) and 924(a)(2), set forth in Counts One of this Indictment, the defendant, JAVON KRUSE, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d), 26 U.S.C. § 5872, and Title 28, United States Code, Section 2461(c), any firearms and

ammunition involved in the commission of the offenses, including, but not limited to: a Colt DA .38 caliber revolver.

3. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

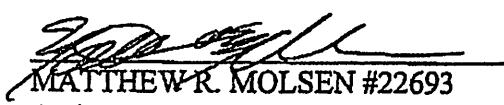
the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

All pursuant to 18 U.S.C. § 924(d), 26 U.S.C. § 5872, and 28 U.S.C. § 2461(c).

A TRUE BILL.

FOREPERSON

The United States of America requests that trial of this case be held in Lincoln, Nebraska, pursuant to the rules of this Court.


MATTHEW R. MOLSEN #22693

Assistant United States Attorney